



April 1, 2024

**VIA ECF**

Hon. Lawrence J. Vilardo  
United States District Judge  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202

Re: *Kershner v. Kolison*, Case No. 1:23-cv-525-LJV-JJM  
Joint letter with respect to settlement negotiations

Dear Judge Vilardo:

We write on behalf of Plaintiff Stephen Kershner and Defendants Stephen Kolison and David Starrett with respect to the status of settlement negotiations.

On February 27, Your Honor assigned the Hon. Jeremiah J. McCarthy to conduct settlement discussions and directed the parties to submit a joint letter concerning their status by April 1, 2024. ECF No. 70. Following a March 11 telephonic conference, the Hon. McCarthy scheduled a settlement conference for April 18, 2024. ECF No. 72.

The parties propose to submit a joint letter (or dueling letters) on or before April 26, 2024, apprising the Court as to the status of negotiations and the anticipated duration of a hearing should a hearing be deemed necessary.

Respectfully submitted,

/s/ Adam Steinbaugh  
Adam Steinbaugh\*  
FOUNDATION FOR INDIVIDUAL RIGHTS  
AND EXPRESSION

/s/ Jennifer Metzger Kimura  
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cc: Counsel of record (via ECF)